

MINUTES OF THE MEETING OF THE
BENCH-BAR-MEDIA CONFERENCE

The second meeting of the Bar-Bench-Media Conference was held on Thursday, July 5, 1990 at 1:00 p.m. in the conference room of the News Journal offices on Basin Road. The meeting was opened to the public. Notice of the meeting had been published. Three members of the public were in attendance. The members of the conference in attendance were:

Members from the Print News Media

Ms. Rita Katz Farrell
Mr. John H. Taylor
Mr. James Flood

Members from the Electronics News Media

Mr. Allan R. Loudell
Mr. Robert A. Mercer

Members from the Bench

Justice Randy J. Holland
Vice-Chancellor Jack B. Jacobs
Judge Henry duPont Ridgely
Judge Jay Paul James

Members from the Bar

Kathleen Jennings, Esquire
Mary Pat Trostle, Esquire
Howard M. Handelman, Esquire
Roderick R. McKelvie, Esquire
J. Dallas Winslow, Esquire

Absent were:

Mr. Henry Freeman
Ms. Judith Roales
Mr. Michael Sigman
Judge Arthur DiSabatino

The meeting was opened by the Chairman, Mr. Handelman. The minutes of the May 24, 1990 meeting were reviewed and upon motion duly made seconded, were unanimously approved. (Agenda #1).

A Motion to Amend Article I of the Constitution to change the name of the Conference from Bench-Bar-Press to Bench-Bar-Media, was presented, and on motion duly made and seconded, was unanimously approved. (Agenda #2).

A Motion to Amend Article III of the Constitution to change the composition of the Conference, to increase its membership from 12 to 20 members and to amend the terms of appointment was presented, and upon motion duly made and seconded, were unanimously adopted (Agenda #3).

A Motion to Amend Article #4 of the Constitution to change the quorum from 6 to 10 was presented, and upon motion duly made and seconded, was unanimously approved (Agenda #4).

Introduction of the new members occurred.

The review of the Preamble of the Conferences' Declaration which had been raised by Ms. Roales at the previous meeting was passed due to her absence (Agenda #5).

Prior to this meeting, the News-Journal Code of Ethics and portions of the Delaware Lawyers' Rules of Professional Conduct, including the table of contents, Preamble, and Rules 3.1 through 3.9 were provided to the members.

A review and discussion of paragraphs 1 through 3 of the Statements of Principal of the Conference Declaration occurred.

It was noted that sealing guidelines of Court records have been established by the Supreme and Chancery Courts. The Chancery Court Rules are to take effect September 1990. Superior Court is presently reviewing this matter. Justice Holland expressed the present inclination against sealing of Court

documents.

Mr. Handelman expressed the concern of this approach on Pre-trial procedures, particularly involving discovery matters which in the past usually promoted an informal and open exchange of information.

A vehicle of communication between the Courts and the Media and the difficulty with communicating directly with the Courts was addressed. Issues raised included:

- a. Media input in the Rules Committees of the various Courts.

- b. The type of structure to be created and its effectiveness.

- c. Whether this Conference should participate in or serve as a liaison to the various Rules Committees.

- d. Designation of the Chairman of the Conference to function as a liaison to the various Rules Committees advising of the Media's interest in the Rules that affect them and the Media's interest to communicate and be informed of such proposals.

- e. Designation of a representative from the Media Sub-Committees of this Conference to function as a liaison to the Rules Committees.

The Media Sub-Committees at the next meeting are to make their recommendations regarding designation of a representative or representatives to serve in such a liaison function.

At the conclusion of this meeting, Mr. Handelman advised that the next scheduled meeting would be held in late September,

early October 1990 in Dover. Any member wishing to submit agenda items for the next meeting should submit said items to Mr. Handelman. Mr. Handelman will prepare an agenda for the meeting and circulate it to the Conference.

The meeting on motion duly made, was seconded and unanimously carried, was adjourned.

Respectfully submitted,,


MARY PAT TROSTLE

MPT/dmc